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Co-Lead Class Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION**

Master Docket No. 11-CV-2509-LHK

THIS DOCUMENT RELATES TO:

**DECLARATION OF DEAN M. HARVEY
IN SUPPORT OF PLAINTIFFS'
OPPOSITION BRIEFS RE DKTCS. 554, 556,
557, 559, 560, 561 564, 570**

All Actions

Date: March 20 and 27, 2014
Time: 1:30 pm
Courtroom: 8, 4th Floor
Judge: Honorable Lucy H. Koh

1 I, Dean M. Harvey, declare:

2 I am a partner in the law firm of Lieff, Cabraser, Heimann & Bernstein, LLP, a member of
3 the State Bar of California, and am admitted to practice before the United States District Court for
4 the Northern District of California. I am one of the counsel for the Plaintiffs in this action. I
5 submit the following declaration in support of Plaintiffs' (1) Consolidated Opposition to
6 Defendants' Joint and Individual Motions for Summary Judgment; (2) Combined Opposition to
7 Defendants' Motion to Exclude Testimony of Edward E. Leamer, Ph.D. and Motion For
8 Summary Judgment Based Thereon; (3) Plaintiffs' Opposition to Motion to Strike Reply Report
9 of Edward Leamer, Ph.D; and (4) Plaintiffs' Opposition to Defendants' Joint Motion to Exclude
10 Expert Testimony of Matthew Marx, Ph.D. I make this declaration based on my own personal
11 knowledge. If called upon to testify, I could and would testify competently to the truth of the
12 matters stated herein.

13 **I. Declarations**

14 1. Attached hereto as Exhibit 1 is a true and correct copy of the Declaration of Edward
15 T. Colligan.

16 2. Attached hereto as Exhibit 2 is a true and correct copy of the Declaration of Sheryl
17 Sandberg.

18 3. Attached hereto as Exhibit 3 is a true and correct copy of the Declaration of Lauren
19 Stiroh in Support of Defendants' Joint Motion to Exclude the Expert Testimony of Edward E.
20 Leamer, docket entry 574.

21 **II. Plaintiffs' Expert Reports**

22 4. Attached hereto as Exhibit 4 is a true and correct copy of the October 1, 2012 Expert
23 Report of Edward Leamer, Ph.D.

24 5. Attached hereto as Exhibit 5 is a true and correct copy of the December 10, 2012
25 Reply Expert Report of Edward Leamer, Ph.D.

26 6. Attached hereto as Exhibit 6 is a true and correct copy of the May 10, 2013 Expert
27 Report of Edward Leamer, Ph.D.

28

1 7. Attached hereto as Exhibit 7 is a true and correct copy of the May 10, 2013 Expert
 2 Report of Kevin Hallock, Ph.D.

3 8. Attached hereto as Exhibit 8 is a true and correct copy of the July 12, 2013 Rebuttal
 4 Supplemental Expert Report of Edward Leamer, Ph.D.

5 9. Attached hereto as Exhibit 9 is a true and correct copy of the October 28, 2013 Merits
 6 Expert Report of Edward Leamer, Ph.D.

7 10. Attached hereto as Exhibit 10 is a true and correct copy of the October 28, 2013
 8 Merits Expert Report of Kevin Hallock, Ph.D.

9 11. Attached hereto as Exhibit 11 is a true and correct copy of the October 28, 2013
 10 Merits Expert Report of Alan Manning, Ph.D.

11 12. Attached hereto as Exhibit 12 is a true and correct copy of the October 28, 2013
 12 Merits Expert Report of Matthew Marx, Ph.D.

13 13. Attached hereto as Exhibit 13 is a true and correct copy of the December 11, 2013
 14 Merits Reply Expert Report of Edward Leamer, Ph.D.

15 14. Attached hereto as Exhibit 14 is a true and correct copy of the December 11, 2013
 16 Merits Rebuttal Report of Matthew Marx, Ph.D.

17 **III. Academic Articles**

18 15. Attached hereto as Exhibit 15 is a true and correct copy of Matthew Marx, *The Firm*
 19 *Strikes Back: Non-Compete Agreements and the Mobility of Technical Professionals*, 76 Am.
 20 Soc. Rev. 695, 700-702 (2011).

21 16. Attached hereto as Exhibit 16 is a true and correct copy of Matthew Marx, et al.,
 22 *Mobility, Skills, and the Michigan Non-Compete Experiment*, 55 Mgmt. Sci. 875, 879-881 (2009).

23 17. Attached hereto as Exhibit 17 is a true and correct copy of R.A. Fisher, *Statistical*
 24 *Methods and Scientific Inference* (3d. ed. 1973).

25 18. Attached hereto as Exhibit 18 is a true and correct copy of Antonio Garcia-Ferrer,
 26 “Peter Kennedy May 18, 1943 – August 30, 2010: A Tribute.” *Foresight* (Winter 2011).

27 19. Attached hereto as Exhibit 19 is a true and correct copy of Peter Kennedy, *A Guide to*
 28 *Econometrics*, Sixth Edition (Blackwell Publishing, 2008).

1 20. Attached hereto as Exhibit 20 is a true and correct copy of William Kruskal,
 2 "Significance, Tests of," INTERNATIONAL ENCYCLOPEDIA OF STATISTICS (1978).

3 21. Attached hereto as Exhibit 21 is a true and correct copy of Edward E. Leamer, "A
 4 Result on the Sign of Restricted Least Squares Estimates," *Journal of Econometrics*, 3 (1975).

5 22. Attached hereto as Exhibit 22 is a true and correct copy of Edward E. Leamer,
 6 *Specification Searches: Ad Hoc Inference With Non-Experimental Data* (1978), ch. 4.

7 **IV. Defendant's Expert Reports**

8 23. Attached hereto as Exhibit 23 is a true and correct copy of the November 25, 2013
 9 Expert Report of Elizabeth Becker, Ph.D.

10 24. Attached hereto as Exhibit 24 is a true and correct copy of the November 25, 2013
 11 Expert Report of David Lewin, Ph.D.

12 25. Attached hereto as Exhibit 25 is a true and correct copy of the November 25, 2013
 13 Expert Report of Kevin Murphy, Ph.D.

14 26. Attached hereto as Exhibit 26 is a true and correct copy of the December 6, 2013
 15 Expert Report of Edward Snyder, Ph.D.

16 27. Attached hereto as Exhibit 27 is a true and correct copy of the November 25, 2013
 17 Expert Report of Lauren Stiroh Ph.D.

18 28. Attached hereto as Exhibit 28 is a true and correct copy of the November 25, 2013
 19 Expert Report of Eric Talley, Ph.D.

20 **V. Court Transcript Excerpts**

21 29. Attached hereto as Exhibit 29 is a true and correct copy of the April 8, 2013 Case
 22 Management Conference Hearing Transcript.

23 30. Attached hereto as Exhibit 30 is a true and correct copy of the May 15, 2013 Case
 24 Management Conference Hearing Transcript.

25 31. Attached hereto as Exhibit 31 is a true and correct copy of the August 8, 2013 Case
 26 Management Conference Hearing Transcript.

27 32. Attached hereto as Exhibit 32 is a true and correct copy of the October 21, 2013 Case
 28 Management Conference Hearing Transcript.

1 **VI. Bates Documents Produced by Defendants**

2 **A. Adobe**

- 3 33. Attached hereto as Exhibit 33 is a true and correct copy of ADOBE_001092.
- 4 34. Attached hereto as Exhibit 34 is a true and correct copy of ADOBE_002764.
- 5 35. Attached hereto as Exhibit 35 is a true and correct copy of ADOBE_004964.
- 6 36. Attached hereto as Exhibit 36 is a true and correct copy of ADOBE_004979.
- 7 37. Attached hereto as Exhibit 37 is a true and correct copy of ADOBE_005950.
- 8 38. Attached hereto as Exhibit 38 is a true and correct copy of ADOBE_007186.
- 9 39. Attached hereto as Exhibit 39 is a true and correct copy of ADOBE_007392.
- 10 40. Attached hereto as Exhibit 40 is a true and correct copy of ADOBE_007481.
- 11 41. Attached hereto as Exhibit 41 is a true and correct copy of ADOBE_008098.
- 12 42. Attached hereto as Exhibit 42 is a true and correct copy of ADOBE_008398.
- 13 43. Attached hereto as Exhibit 43 is a true and correct copy of ADOBE_008692.
- 14 44. Attached hereto as Exhibit 44 is a true and correct copy of ADOBE_015864.
- 15 45. Attached hereto as Exhibit 45 is a true and correct copy of ADOBE_016608.
- 16 46. Attached hereto as Exhibit 46 is a true and correct copy of ADOBE_094419.
- 17 47. Attached hereto as Exhibit 47 is a true and correct copy of ADOBE_109674.
- 18 48. Attached hereto as Exhibit 48 is a true and correct copy of ADOBE_110060.
- 19 49. Attached hereto as Exhibit 49 is a true and correct copy of ADOBE_110292.
- 20 50. Attached hereto as Exhibit 50 is a true and correct copy of ADOBE_110302.
- 21 51. Attached hereto as Exhibit 51 is a true and correct copy of ADOBE_110308.
- 22 52. Attached hereto as Exhibit 52 is a true and correct copy of ADOBE_110368.
- 23 53. Attached hereto as Exhibit 53 is a true and correct copy of ADOBE_110398.
- 24 54. Attached hereto as Exhibit 54 is a true and correct copy of ADOBE_110454.

25 **B. Apple**

- 26 55. Attached hereto as Exhibit 55 is a true and correct copy of 231APPLE001164.
- 27 56. Attached hereto as Exhibit 56 is a true and correct copy of 231APPLE002214.
- 28 57. Attached hereto as Exhibit 57 is a true and correct copy of 231APPLE003695.

- 1 58. Attached hereto as Exhibit 58 is a true and correct copy of 231APPLE003854.
- 2 59. Attached hereto as Exhibit 59 is a true and correct copy of 231APPLE007258.
- 3 60. Attached hereto as Exhibit 60 is a true and correct copy of 231APPLE008537.
- 4 61. Attached hereto as Exhibit 61 is a true and correct copy of 231APPLE008912.
- 5 62. Attached hereto as Exhibit 62 is a true and correct copy of 231APPLE011618.
- 6 63. Attached hereto as Exhibit 63 is a true and correct copy of 231APPLE056385.
- 7 64. Attached hereto as Exhibit 64 is a true and correct copy of 231APPLE094041.
- 8 65. Attached hereto as Exhibit 65 is a true and correct copy of 231APPLE098782.
- 9 66. Attached hereto as Exhibit 66 is a true and correct copy of 231APPLE100713.
- 10 67. Attached hereto as Exhibit 67 is a true and correct copy of 231APPLE105340.
- 11 68. Attached hereto as Exhibit 68 is a true and correct copy of 231APPLE108086.
- 12 69. Attached hereto as Exhibit 69 is a true and correct copy of 231APPLE116655.
- 13 70. Attached hereto as Exhibit 70 is a true and correct copy of 231APPLE123280.
- 14 71. Attached hereto as Exhibit 71 is a true and correct copy of 231APPLE124988.
- 15 72. Attached hereto as Exhibit 72 is a true and correct copy of 231APPLE130883.
- 16 73. Attached hereto as Exhibit 73 is a true and correct copy of 231APPLE131137.
- 17 74. Attached hereto as Exhibit 74 is a true and correct copy of 231APPLE132589.
- 18 75. Attached hereto as Exhibit 75 is a true and correct copy of 231APPLE133899.

19 **C. Google**

- 20 76. Attached hereto as Exhibit 76 is a true and correct copy of GOOG-HIGH TECH-
21 00000001.
- 22 77. Attached hereto as Exhibit 77 is a true and correct copy of GOOG-HIGH TECH-
23 00007574.
- 24 78. Attached hereto as Exhibit 78 is a true and correct copy of GOOG-HIGH TECH-
25 00007696.
- 26 79. Attached hereto as Exhibit 79 is a true and correct copy of GOOG-HIGH TECH-
27 00007715.

1 80. Attached hereto as Exhibit 80 is a true and correct copy of GOOG-HIGH TECH-
2 00007950.

3 81. Attached hereto as Exhibit 81 is a true and correct copy of GOOG-HIGH TECH-
4 00008002.

5 82. Attached hereto as Exhibit 82 is a true and correct copy of GOOG-HIGH TECH-
6 00008233.

7 83. Attached hereto as Exhibit 83 is a true and correct copy of GOOG-HIGH TECH-
8 00008281.

9 84. Attached hereto as Exhibit 84 is a true and correct copy of GOOG-HIGH TECH-
10 00008282.

11 85. Attached hereto as Exhibit 85 is a true and correct copy of GOOG-HIGH TECH-
12 00023206.

13 86. Attached hereto as Exhibit 86 is a true and correct copy of GOOG-HIGH TECH-
14 00023500.

15 87. Attached hereto as Exhibit 87 is a true and correct copy of GOOG-HIGH TECH-
16 00024149.

17 88. Attached hereto as Exhibit 88 is a true and correct copy of GOOG-HIGH TECH-
18 00024585.

19 89. Attached hereto as Exhibit 89 is a true and correct copy of GOOG-HIGH TECH-
20 00027913.

21 90. Attached hereto as Exhibit 90 is a true and correct copy of GOOG-HIGH TECH-
22 00027965.

23 91. Attached hereto as Exhibit 91 is a true and correct copy of GOOG-HIGH TECH-
24 00028981.

25 92. Attached hereto as Exhibit 92 is a true and correct copy of GOOG-HIGH TECH-
26 00036370.

27 93. Attached hereto as Exhibit 93 is a true and correct copy of GOOG-HIGH TECH-
28 00036716.

1 94. Attached hereto as Exhibit 94 is a true and correct copy of GOOG-HIGH TECH-
2 00036781.

3 95. Attached hereto as Exhibit 95 is a true and correct copy of GOOG-HIGH TECH-
4 00037936.

5 96. Attached hereto as Exhibit 96 is a true and correct copy of GOOG-HIGH TECH-
6 00038364.

7 97. Attached hereto as Exhibit 97 is a true and correct copy of GOOG-HIGH TECH-
8 00039446.

9 98. Attached hereto as Exhibit 98 is a true and correct copy of GOOG-HIGH TECH-
10 00042588.

11 99. Attached hereto as Exhibit 99 is a true and correct copy of GOOG-HIGH TECH-
12 00053679.

13 100. Attached hereto as Exhibit 100 is a true and correct copy of GOOG-HIGH TECH-
14 00196286.

15 101. Attached hereto as Exhibit 101 is a true and correct copy of GOOG-HIGH-TECH-
16 00038103.

17 102. Attached hereto as Exhibit 102 is a true and correct copy of GOOG-HIGH-TECH-
18 00054804.

19 103. Attached hereto as Exhibit 103 is a true and correct copy of GOOG-HIGH-TECH-
20 00054905.

21 104. Attached hereto as Exhibit 104 is a true and correct copy of GOOG-HIGH-TECH-
22 00055116.

23 105. Attached hereto as Exhibit 105 is a true and correct copy of GOOG-HIGH-TECH-
24 00055413.

25 106. Attached hereto as Exhibit 106 is a true and correct copy of GOOG-HIGH-TECH-
26 00056840.

27 107. Attached hereto as Exhibit 107 is a true and correct copy of GOOG-HIGH-TECH-
28 00056879.

1 108. Attached hereto as Exhibit 108 is a true and correct copy of GOOG-HIGH-TECH-
2 00057458.

3 109. Attached hereto as Exhibit 109 is a true and correct copy of GOOG-HIGH-TECH-
4 00058235.

5 110. Attached hereto as Exhibit 110 is a true and correct copy of GOOG-HIGH-TECH-
6 00058471.

7 111. Attached hereto as Exhibit 111 is a true and correct copy of GOOG-HIGH-TECH-
8 00193217.

9 112. Attached hereto as Exhibit 112 is a true and correct copy of GOOG-HIGH-TECH-
10 00193360.

11 113. Attached hereto as Exhibit 113 is a true and correct copy of GOOG-HIGH-TECH-
12 00193377.

13 114. Attached hereto as Exhibit 114 is a true and correct copy of GOOG-HIGH-TECH-
14 00193406.

15 115. Attached hereto as Exhibit 115 is a true and correct copy of GOOG-HIGH-TECH-
16 00193435.

17 116. Attached hereto as Exhibit 116 is a true and correct copy of GOOG-HIGH-TECH-
18 00194870.

19 117. Attached hereto as Exhibit 117 is a true and correct copy of GOOG-HIGH-TECH-
20 00194945.

21 118. Attached hereto as Exhibit 118 is a true and correct copy of GOOG-HIGH-TECH-
22 00194984.

23 119. Attached hereto as Exhibit 119 is a true and correct copy of GOOG-HIGH-TECH-
24 00195364.

25 120. Attached hereto as Exhibit 120 is a true and correct copy of GOOG-HIGH-TECH-
26 00196108.

27 121. Attached hereto as Exhibit 121 is a true and correct copy of GOOG-HIGH-TECH-
28 00196204.

1 122. Attached hereto as Exhibit 122 is a true and correct copy of GOOG-HIGH-TECH-
2 00196687.

3 123. Attached hereto as Exhibit 123 is a true and correct copy of GOOG-HIGH-TECH-
4 00196689.

5 124. Attached hereto as Exhibit 124 is a true and correct copy of GOOG-HIGH-TECH-
6 00233026.

7 125. Attached hereto as Exhibit 125 is a true and correct copy of GOOG-HIGH-TECH-
8 00625160.

9 126. Attached hereto as Exhibit 126 is a true and correct copy of GOOG-HIGH-TECH-
10 00625200.

11 127. Attached hereto as Exhibit 127 is a true and correct copy of GOOG-HIGH-TECH-
12 00625224.

13 128. Attached hereto as Exhibit 128 is a true and correct copy of GOOG-HIGH-TECH-
14 00625227.

15 129. Attached hereto as Exhibit 129 is a true and correct copy of GOOG-HIGH-TECH-
16 00625235.

17 130. Attached hereto as Exhibit 130 is a true and correct copy of GOOG-HIGH-TECH-
18 00625239.

19 131. Attached hereto as Exhibit 131 is a true and correct copy of GOOG-HIGH-TECH-
20 00625264.

21 132. Attached hereto as Exhibit 132 is a true and correct copy of GOOG-HIGH-TECH-
22 00625475.

23 133. Attached hereto as Exhibit 133 is a true and correct copy of GOOG-HIGH-TECH-
24 00625480.

25 134. Attached hereto as Exhibit 134 is a true and correct copy of GOOG-HIGH-TECH-
26 00625486.

27 135. Attached hereto as Exhibit 135 is a true and correct copy of GOOG-HIGH-TECH-
28 00625496.

1 136. Attached hereto as Exhibit 136 is a true and correct copy of GOOG-HIGH-TECH-
2 00625509.

3 137. Attached hereto as Exhibit 137 is a true and correct copy of GOOG-HIGH-TECH-
4 00625532.

5 138. Attached hereto as Exhibit 138 is a true and correct copy of GOOG-HIGH-TECH-
6 00625631.

7 139. Attached hereto as Exhibit 139 is a true and correct copy of GOOG-HIGH-TECH-
8 00625733.

9 **D. Intel**

10 140. Attached hereto as Exhibit 140 is a true and correct copy of 76512DOC000926.

11 141. Attached hereto as Exhibit 141 is a true and correct copy of 76526DOC000007.

12 142. Attached hereto as Exhibit 142 is a true and correct copy of 76545DOC000021.

13 143. Attached hereto as Exhibit 143 is a true and correct copy of 76550DOC000014.

14 144. Attached hereto as Exhibit 144 is a true and correct copy of 76556DOC000003.

15 145. Attached hereto as Exhibit 145 is a true and correct copy of 76566DOC000005.

16 146. Attached hereto as Exhibit 146 is a true and correct copy of 76566DOC000085.

17 147. Attached hereto as Exhibit 147 is a true and correct copy of 76577DOC000001.

18 148. Attached hereto as Exhibit 148 is a true and correct copy of 76577DOC000219.

19 149. Attached hereto as Exhibit 149 is a true and correct copy of 76579DOC000714.

20 150. Attached hereto as Exhibit 150 is a true and correct copy of 76579DOC002323.

21 151. Attached hereto as Exhibit 151 is a true and correct copy of 76582DOC000348.

22 152. Attached hereto as Exhibit 152 is a true and correct copy of 76582DOC000902.

23 153. Attached hereto as Exhibit 153 is a true and correct copy of 76592DOC015613.

24 154. Attached hereto as Exhibit 154 is a true and correct copy of 76610DOC004726.

25 155. Attached hereto as Exhibit 155 is a true and correct copy of 76633DOC000369.

26 **E. Intuit**

27 156. Attached hereto as Exhibit 156 is a true and correct copy of INTUIT_000013.

28 157. Attached hereto as Exhibit 157 is a true and correct copy of INTUIT_001661.

- 1 158. Attached hereto as Exhibit 158 is a true and correct copy of INTUIT_002372.
- 2 159. Attached hereto as Exhibit 159 is a true and correct copy of INTUIT_003008.
- 3 160. Attached hereto as Exhibit 160 is a true and correct copy of INTUIT_005692.
- 4 161. Attached hereto as Exhibit 161 is a true and correct copy of INTUIT_005711.
- 5 162. Attached hereto as Exhibit 162 is a true and correct copy of INTUIT_005772.

6 **F. Lucasfilm**

- 7 163. Attached hereto as Exhibit 163 is a true and correct copy of LUCAS00004446.
- 8 164. Attached hereto as Exhibit 164 is a true and correct copy of LUCAS00004690.
- 9 165. Attached hereto as Exhibit 165 is a true and correct copy of LUCAS00004721.
- 10 166. Attached hereto as Exhibit 166 is a true and correct copy of LUCAS00005403.
- 11 167. Attached hereto as Exhibit 167 is a true and correct copy of LUCAS00009252.
- 12 168. Attached hereto as Exhibit 168 is a true and correct copy of LUCAS00013507.
- 13 169. Attached hereto as Exhibit 169 is a true and correct copy of LUCAS00013673.
- 14 170. Attached hereto as Exhibit 170 is a true and correct copy of LUCAS00035991.
- 15 171. Attached hereto as Exhibit 171 is a true and correct copy of LUCAS00199905.

16 **G. Pixar**

- 17 172. Attached hereto as Exhibit 172 is a true and correct copy of PIX00000038.
- 18 173. Attached hereto as Exhibit 173 is a true and correct copy of PIX00000227.
- 19 174. Attached hereto as Exhibit 174 is a true and correct copy of PIX00001958.
- 20 175. Attached hereto as Exhibit 175 is a true and correct copy of PIX00002193.
- 21 176. Attached hereto as Exhibit 176 is a true and correct copy of PIX00002219.
- 22 177. Attached hereto as Exhibit 177 is a true and correct copy of PIX00002328.
- 23 178. Attached hereto as Exhibit 178 is a true and correct copy of PIX00002349.
- 24 179. Attached hereto as Exhibit 179 is a true and correct copy of PIX00003610.
- 25 180. Attached hereto as Exhibit 180 is a true and correct copy of PIX00003629.
- 26 181. Attached hereto as Exhibit 181 is a true and correct copy of PIX00003978.
- 27 182. Attached hereto as Exhibit 182 is a true and correct copy of PIX00004051.
- 28 183. Attached hereto as Exhibit 183 is a true and correct copy of PIX00006026.

- 1 184. Attached hereto as Exhibit 184 is a true and correct copy of PIX00006057.
- 2 185. Attached hereto as Exhibit 185 is a true and correct copy of PIX00023020.
- 3 186. Attached hereto as Exhibit 186 is a true and correct copy of PIX00087389.
- 4 187. Attached hereto as Exhibit 187 is a true and correct copy of PIX00087434.

5 **VII. Defendants' Interrogatory Responses**

- 6 188. Attached hereto as Exhibit 188 is a true and correct copy of Apple Inc.'s Responses
7 to Plaintiffs' First Set of Interrogatories Re: Identification of Witnesses, dated March 2, 2012.
- 8 189. Attached hereto as Exhibit 189 is a true and correct copy of Adobe Systems Inc.'s
9 Responses to Plaintiffs First Set of Interrogatories Re: Identification of Witnesses, dated March
10 12, 2012.
- 11 190. Attached hereto as Exhibit 190 is a true and correct copy of Google Inc.'s Responses
12 to Plaintiffs' First Set of Interrogatories Re: Identification of Witnesses, dated March 2, 2012.
- 13 191. Attached hereto as Exhibit 191 is a true and correct copy of Intel's Responses to
14 Plaintiffs' First Set of Interrogatories Re: Identification of Witnesses, dated March 2, 2012.
- 15 192. Attached hereto as Exhibit 192 is a true and correct copy of Intuit Inc.'s Responses to
16 Plaintiffs' First Set of Interrogatories Re: Identification of Witnesses, dated March 12, 2012.
- 17 193. Attached hereto as Exhibit 193 is a true and correct copy of Lucasfilm's LTD.'s
18 Responses to Plaintiffs' First Set of Interrogatories Re: Identification of Witnesses, dated March
19 2, 2012.
- 20 194. Attached hereto as Exhibit 194 is a true and correct copy of Pixar's Responses to
21 Plaintiffs' First Set of Interrogatories Re: Identification of Witnesses, dated March 2, 2012.
- 22 195. Attached hereto as Exhibit 195 is a true and correct copy of Apple Inc.'s Amended
23 Responses to Plaintiffs' Second Set of Interrogatories, dated March 29, 2013.
- 24 196. Attached hereto as Exhibit 196 is a true and correct copy of Adobe Systems Inc.'s
25 Amended Responses to Plaintiffs' Second Set of Interrogatories, dated March 19, 2013.
- 26 197. Attached hereto as Exhibit 197 is a true and correct copy of Google Inc.'s Responses
27 to Plaintiffs' Second Set of Interrogatories, dated, April 6, 2012.

1 198. Attached hereto as Exhibit 198 is a true and correct copy of Intel's Amended and
 2 Supplemented Responses to Plaintiffs' Second Set of Interrogatories, dated March 12, 2013.

3 199. Attached hereto as Exhibit 199 is a true and correct copy of Intuit's Amended and
 4 Supplemented Responses to Plaintiffs' Second Set of Interrogatories, dated April 6, 2012.

5 200. Attached hereto as Exhibit 200 is a true and correct copy of Lucasfilm LTD.'s
 6 Supplemental Objections and Responses to Plaintiffs' Second Set of Interrogatories, dated March
 7 25, 2013.

8 201. Attached hereto as Exhibit 201 is a true and correct copy of Pixar's Supplemental
 9 Objections and Responses to Plaintiffs' Second Set of Interrogatories, dated March 18, 2013.

10 **VIII. Miscellaneous Documents/News Articles**

11 202. Attached hereto as Exhibit 202 is a true and correct copy of "Adobe to Acquire
 12 Macromedia."

13 203. Attached hereto as Exhibit 203 is a true and correct copy of "Adobe Completed
 14 Acquisition of Macromedia."

15 204. Attached hereto as Exhibit 204 is a true and correct copy of "Adobe Voluntarily
 16 Provides DOJ Additional Time for Acquisition Review."

17 205. Attached hereto as Exhibit 205 is a true and correct copy of a map showing the
 18 distances between all remaining defendants.

19 206. Attached hereto as Exhibit 206 is a true and correct copy of Omnibus Order on
 20 Motion for Final Pretrial Conference Submitted With Oral Argument, Dkt. 1024, *Therasense, Inc.*
 21 *v. Becton Dickinson and Co.*, No. 04-02123 WHA (May 22, 2008).

22 207. Attached hereto as Exhibit 207 is a true and correct copy of "FTC Requires Patentee
 23 to Fulfill Licensing Commitments To A Standard-Setting Organization to Prevent Consumer
 24 Harm" co-authored with Eugene L. Chang, Esq., William H. Rooney, Esq. and Heather M.
 25 Schneider, Esq., Willkie Farr & Gallagher, LLP The *Metropolitan Corporate Counsel 2008*.

26 208. Attached hereto as Exhibit 208 is a true and correct copy of Chapter 14: "Proving
 27 Causation in Damage Analyses" in Economics of Antitrust Complex Issues in a Dynamic
 28 Economy, edited by Dr. Lawrence Wu, NERA Economic Consulting, 2007.

1

209. Attached hereto as Exhibit 209 is a true and correct copy of Chapter 1: "Uncertainty
3 in the Economics of Knowledge and Information" in Economic Approaches to Intellectual
4 Property Policy, Litigation, and Management, edited by Dr. Gregory K. Leonard and Dr. Lauren
5 J. Stiroh, NERA Economic Consulting, 2005.

6 210. Attached hereto as Exhibit 210 is a true and correct copy of Chapter 3: "A Practical
7 Guide to Damages" co-authored with Dr. Gregory K. Leonard, in Economic Approaches to
8 Intellectual Property, Policy, Litigation, and Management, edited by Dr. Gregory K. Leonard and
9 Dr. Lauren J. Stiroh, NERA Economic Consulting, 2005.

10 211. Attached hereto as Exhibit 211 is a true and correct copy of Chapter 15: "Standard
11 Setting and Market Power" co-authored with Dr. Richart T. Rapp in Economic Approaches to
12 Intellectual Property, Policy, Litigation, and Management, edited by Dr. Gregory K. Leonard and
13 Dr. Lauren J. Stiroh, NERA Economic Consulting, 2005.

14

15 Executed February 6, 2014, in San Francisco, California.

16

17 /s/ Dean M. Harvey
18 Dean M. Harvey

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